1948. File No. Requisitioning II 48

Legal Department

B BRANCH

Subject:— Rules and notifications under the Bombay Land Requisition Act 1948

D.H.S. (F)

File No. Requisitioning II 48 928

Gen. 194

Office of the R.L.A.

A revised draft notification as is sent herewith.

Sd/-P.M.L.
23/2
Remembrancer of Legal Affairs

U.R. to H. & L.G.D., No. 1865 , dated the 24th February 1948.

BKS. 30/5/ 4c.

NOTIFICATION.

Health and Local Government Department.

Bombay Castle, February 1948.

**Bombay Land Requisition Ordinance. 1947.**

No. 5951/33-M.- In exercise of the powers conferred by section 6 of the Bombay Land Requisition Ordinance, 1947 (Bom. Ordinance No. V of 1947), the Government of Bombay is pleased to authorise the Collectors of the Bombay Suburban, Ahmedabad and Nasik Districts within their jurisdiction for the purposes of the said section. 6.

By order of the Governor of Bombay,

Secretary to Government.

BKS. 30/5/ 4c.

Office of the R.L.A.

The draft order forwarded by the H. & L.C.D. for the scrutiny purports to issue under both sections 3 and 4 of the Bombay Land Requisition Ordinance, 1947, and as such it is not in order. Orders under section 3 or 4 of the Ordinance are contemplated for quite different sets of circumstances and it would obviously be wrong to issue an order under combined sections.

2. An order under section 3 is competent only when the land as defined in section 2(1) is required for any public purpose; while under section 4 premises may be requisitioned not necessarily for a public purpose and such premises should have been vacant at the time of requisition. Two revised draft model orders are sent herewith accordingly.

Sd/- P.M.L.
23/2
Remembrancer of Legal Affairs.

U.R. to H. & L.C.D. No. 2029 dated the 28th February 1948.

BKS. 30/5/ 4c.

ORDER.

Whereas the powers under section 3 of the Bombay Land Requisition Ordinance, 1947 (Bombay Ordinance No. V of 1947), have been delegated to the Collector of by the Government Notification in the Health and Local Government Department, No.5931/33-M, dated the 6th December 1947;

And whereas the Collector of is of opinion that it is necessary / expedient to requisition the land / premises specified in column 1 of the Schedule hereto appended for the public purpose specified against it in column 2 of the said Schedule;

Now therefore in exercise of the said powers the Collector of is pleased to requisition the said land for the said public purpose.

Schedule

Collector.

Collector's Office.

BRS. 31/5/ 4c.

ORDER.

No.----------

In exercise of the powers conferred by section 4 of the Bombay Land Requisition Ordinance, 1947 (Bombay Ordinance No. V of 1947), read with the Government Notification in the Health and Local Government Department, No.5931/33-M, dated the 6th December 1947, the Collector of Bombay Suburban District is pleased to requisition the following premises ------ ----------(here specify particulars of premises).

Collector of Bombay Suburban District.

Collector's Office,
Bombay.

BKS. 31/5/ 4c.

Office of the R.L.A.

A revised draft notification is sent herewith.

The form of the notification now revised can be adapted by any Collector who intends to issue a similar notification within his jurisdiction.

Sd/- P.M.L.
8/5
Remembrancer of Legal Affairs.

U.R. to H. & L.G.D. No. 4475 dated the 10th May 1948

BKS. 31/5/ 4c.

Notification under section 6(1) of the
Bombay Land Requisition Act,1948.

NOTIFICATION.

No. .-In exercise of the powers conferred by sub-section (1) of section 6 of the Bombay Land Requisition Act, 1948 (Bom. XXXIII of 1948), read with Government Notification in the Health and Local Government Department No. X dated the the Collector of is pleased -

X To be filled in by L.&G.D.

(i) to specify the areas within limits of the Ahmednagar Municipal Borough and the Ahmednagar Cantonment as the areas; and

X -do- (ii) to authorise the Collector of X for the purposes of the said sub-section (1).

Collector of -----

Place

Date

BKS. 31/5/ 4c.

Office of the H.L.A.

A revised draft notification is sent herewith.

Sd/-P.M.L.
8/5
Remembrancer of Legal Affairs.

U.O. to H. & L.C.D. No. 4474 dated the 10th May 1948.

BRS. 31/5/ 4c.

Notification under section 6(1) of the Bombay Land Requisition Act, 1948.

NOTIFICATION.

No. .-In exercise of the powers conferred by sub-section (1) of section 6 of the Bombay Land Requisition Act, 1948 (Bom. XXXIII of 1948), read with Government Notification in the Health and Local Government Department No. X dated the , the Collector of is pleased -

X To be filled in by H.&L.G.D.

(1) to specify the areas within the limits of the Belgaum City, the Cantonment of Belgaum and the Belgaum Fort, as the areas; and

X -do- (ii) to authorise the Collector of X for the purposes of the said sub-section (1).

Collector of .....

Place

Date

BKS. 31/5/ 4c.

Office of the R.L.A.

The 4 forms of draft Orders as amended are in order.

2. It is understood from the Asstt. Secy., H.& L.C.D., that an authorisation under section 11 will be issued on each occasion. If so, the draft form at page 13 is in order.

Sd/- P.N.L.
Remembrancer of Legal Affairs.

U.R. to H.& L.C.D.,No. 4045, dated the 26th April 1948.

BKS. 31/5/ 48.

Office of the R.L.A.

The point about which Mr.Vakil of Little and Company was in doubt was whether H. and L.G.D. Notification No.5931/33, dated 4-12-1947* issued under section 4 of the Bombay Land Requisition Ordinance, 1947, continued in force under section 6 of the Bombay Land Requisition Act, 1948. It is clear that the said notification is in force under section 6 of the Act in virtue of section 20 of the Act read with section 25 of the Bombay Central Clauses Act, 1904.

2. The notifications, orders etc.issued under the Ordinance and forwarded by H. and L.G.D. in file below have been examined and the section of the Ordinance under which each has been issued and the corresponding section of Act under which it shall be deemed to have been issued are specified in the following table :-

| Notification order etc. | Section of the Ordinance. | Section of the Act. |
|---|---|---|
| p. 3, file. | 4(1) | 6(1) |
| p.11, file | 13 | 15 |
| p.13, file | 16 | 19 |
| p.15, file | 13 | 15 |
| p.19, file | 4(1) | 6(1) |

3. All the above notifications, orders etc. are consistent with the corresponding provisions of the Act (shown in the last column ) and need not be re-issued.

4. But, where new powers to be exercised by the Provincial Government are provided for in the Act, the Collectors would not be competent to exercise them under the delegation made under the Ordinance

.(Emp. Vs. Rayangouda, 46 Bom. L.R,425).
A fresh delegation under section 15 of the Act is therefore necessary in respect of the following powers :-

Section 5. This is a new power. The Ordinance did not contain such powers.

Section 6(4)(b) and the proviso. These are new powers. No corresponding provisions are to be found in the Ordinance.

Section 11(2)(3) These are new powers. No corresponding provision in the Ordinance is to be foun

If the intention of Government is that the Collectors should exercise all such new powers, it is necessary to issue a notification under section 15 of the Act delegating all the powers of the Provincial Government under sections 5, 6(4)(b) and the proviso to section 6(4) and section 11(2) & (3) to those Collectors to whom such powers have been delegated under the Ordinance.

Sd/- P.M.L.
4/5
Remembrancer of Legal Affairs.

U.R. to H. & L.G.D. No. 4313
dated the 4th May 1948.

BKS. 31/5/ 4c.

Legal Department.

The draft notifications at pages 9-11- ante as amended are in order.

Sd/-
9/6
Additional Secretary to Government.

U.R. to H.& I.G.D.,No. 294-Confl, dated the 9th June 1948.

DKS. 31/5/ 48.

Health and Local Government Department,
Bombay Castle, June 1948.

Bombay Land Requisition Act, 1948.

No. .-In exercise of the powers conferred by sub-section (2) of section 2 of the Bombay Land Requisition Act,1948 (Bom. XXXIII of 1948), the Government of Bombay is pleased to extend all of the provisions of the said Act to the areas specified in the Schedule hereto annexed with effect from the date of this notification.

SCHEDULE.

1. East Khandesh District.
2. Bijapur District.

By order of the Governor of Bombay,

Secretary to Government.

For publication in the Bombay Government Gazette Part I Extra-ordinary: To be returned with 100 copies of the notification.

By order of the Governor of Bombay,

Secretary to Government.

BKS. 31/5/ 4c.

## Notification.

Health and Local Government Department,
Bombay Castle, June 1948.

Bombay Land Requisition Act, 1948.

No.698-M.- In exercise of the powers conferred by section 15 of the Bombay Land Requisition Act,1948 (Bom. XXXIII of 1948), the Government of Bombay is pleased to direct that in East Khandesh and Bijapur Districts, the powers conferred and duties imposed on the Provincial Government by sections 5,6 and 7, sub-sections (1), (3), (5), and (7) of section 9, and sections 11,12 and 14 of the said Act, shall also be exercised or discharged by the Collector within the limits of his jurisdiction.

By order of the Governor of Bombay,

Secretary to Government.

For publication in the Bombay Government Gazette Part I extra-ordinary; to be returned with 100 copies of the notification.

By order of the Governor of Bombay,

Secretary to Government.

BKS. 31/5/ 4c.

Legal Department.

The Health and Local Government Department proposes to extend to the Panch Mahals District the Bombay Land Requisition Act, 1948, under section 2(2) thereof. Unless a notification under section 92(1) of the Government of India Act, 1935, applying the Bombay Land Requisition Act to the partially excluded areas in the Panch Mahals District is issued first, it is not competent for Government to issue a notification under section 2(2) thereof in respect of such partially excluded areas. The H. & L.G.D. should verify whether the said Act x has been extended to the partially excluded areas.

2. The draft notifications at pages 15-17 ante, as amended, are in order. They should not, however, issue unless a notification under section 92 of the Government of India Act is issued first as pointed out in paragraph 1 above.

Sd/-
12/6
Additional Secretary to Government.

U.R. to H.& L.G.D., No. 5510, dated the 12th June 1948.

BKS. 31/5/ 4c.

NOTIFICATION.

Health and Local Government Department,
Bombay Castle, June 1948.

Bombay Land Requisition Act, 1948.

No. O 698/3716-N, In exercise of the powers conferred by sub-section (2) of section 2 of the Bombay Land Requisition Act, 1948 (Bom. XXXIII of 1948), the Government of Bombay is pleased to extend all of the provisions of the said Act to the Panch Mahals District with effect from the date of this notification.

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By order of the Governor of Bomb

Secretary to Government.

BKB. 31/5/ 4c.

Order.

Health & Local Govt. Department,
Bombay Castle, June 1948.

Requisition Bombay Land Registration Act, 1948.

No.698-M. In exercise of the powers conferred by section 15 of the Bombay Land Requisition Act, 1948 (Bom. XXXIII of 1948), the Government of Bombay is pleased to direct that in the Panch Mahals District, the powers conferred and duties imposed on the Provincial Government by sections 5, 6 and 7, sub-sections (1), (3) (5), and (7) of section 9, and sections 11, 12 and 14 of the said Act, shall also be exercised or discharged by the Collector within the limits of his jurisdiction.

By order of the Governor of Bombay,

Secretary to Government.

BKB, 31/5/ 4 c.

Legal Department

In place of the H. & L.G.D. draft at page 3 ante, a revised draft notification is sent herewith.

2. It appears that similar rules were not made under the Bombay Land Requisition Ordinance, 1947 (Ordinance No. V of 1947). The publication or republication of the orders issued under the Ordinance in accordance with the proposed rules will not cure their defective publicity. No useful purpose would therefore be served by publishing or republishing them accordingly. But reliance could always be placed on the provisions of sub-section (2) of section 11 of the Ordinance on account of which the validity of the orders is not affected and under which it is open to prove by other means that the person concerned was duly informed of the order.

Sd/-
11/6
Additional Secretary to Government.

U.R. to H. & L.G.D., No. 5499, dated the 12th June 1948

BKS. 31/5/ 4c.

NOTIFICATION.

Health and Local Government Department,
Bombay Castle, June 1948.

Bombay Land Requisition Act, 1948 (Bom. XXXIII of 1948).

No. In exercise of the powers conferred by sub-section (1) of section 19 read with clause (a) of sub-section (1) of section 13 of the Bombay Land Requisition Act, 1948 (Bom. XXXIII of 1948), the Government of Bombay is pleased to make the following rules, namely :-

1. These rules may be called the Bombay Land Requisition (Publication of General Orders) Rules, 1948 .

2. In these rules, -

(a) "Act" means the Bombay Land Requisition Act, 1948;

(b) "Order" means an order made under section 5, 6, 7, sub-section (7) of section 12 of the Act, which is of a general nature or affects a class of persons.

3. Every order shall be published in the Official Gazette.

By order of the Governor of Bombay,

Secretary to Government.

BKS. 31/5/48.

Legal Department.

If the Collector, Bombay Suburban District's notification No. R. .Q., dated 20th December 1947 is cancelled as proposed by Health and Local Government Department and a fresh notification is issued in its place, the period for giving intimation of vacant premises will begin to run from the date of the fresh notification; whereas under the present notification such intimation is required to be given within seven days of the premises becoming vacant. Since there is no change in the areas notified under sec. 6(1) of the Act, it is not necessary to cancel the whole notification as proposed by the Health and Local Government Department. There is no legal objection if para. (2) of the said notification is modified by authorising the Deputy Secretary to the Government of Bombay, Health and Local Government Department, for the purposes of sub-section (1) of section 6 of the Act. A revised draft Order is sent herewith. accordingly.

2. Since it is intended that the Collector, Bombay Suburban District, should no longer exercise or discharge any powers or duties under the Act, it is necessary to cancel the notification No. 5930/33-M, dated the 6th December 1947, whereunder the powers, which the Provincial Government now wish to exercise, ~~xhichxxhx~~ have been delegated to the Collector Bombay Suburban District.

3. A requisite draft Order is sent herewith for the purpose.

4. Both the Orders should issue simultaneously.

Sd/-
6/7
Additional Secretary to Government.

U.R. to H.& L.G.D. No. 6506 dated 6th July 1948.

BKS. 31/5/ 40.

Health and Local Government Department,
Bombay Castle, June 1948.

Bombay Land Requisition Act, 1948.

No, .- In exercise of the powers conferred by sub-section (1) of section 6 of the Bombay Land Requisition Act, 1948, (Bom. XXXIII of 1948), the Government of Bombay is pleased to amend the Collector of B.S.D's notification No. B.B.4., dated the 20th December 1947, as follows, namely :-

In the said notification for paragraph (2), the following shall be substituted, namel

"(2) to authorise the Deputy Secretary to the Government of Bombay, Health and Local Government Department , for the purposes of the said sub-section (1)".

By order of the Governor of Bombay,

Deputy Secretary to Government

BKS. 31/5/ 4c.

Health and Local Government Department,

Bombay Castle, June 1948.

Bombay Land Requisition Act, 1948.

No. .-In exercise of the powers conferred by section 15 of the Bombay Land Requisition Act, 1948 (Bom. XXXIII of 1948), the Government of Bombay is pleased to cancel Government Notification in the Health and Local Government Department No. 5931/33-N, dated the 6th December 1947 in so far as it relates to the Bombay Suburban District .

By order of the Governor of Bombay,

Deputy Secretary to Government.

BMS. 31/5/ 4c.

Health and Local Government Department,

Bombay Castle, July 1948.

Bombay Land Requisition Act, 1948.

No. In exercise of the powers conferred by section 14 of the Bombay Land Requisition Act, 1948 (Bom. XXXIII of 1948), the Government of Bombay is pleased to cancel Government Notification in the Health and Local Government Department No. 5931/37-N, dated the 6th December 1947, in so far as it relates to the Bombay Suburban District, except in so far as it confers powers to issue a notification to specify an area under sub-section (1) of section 6 of the said Act.

By order of the Governor of Bombay,

Secretary to Government.

BKS. 31/5/ 4c.

Legal Department.

The accompanying notification may be substituted in place of the draft notification under section 15 of the Bombay Land Requisition Act,1948, supplied under P.L.A's No. 6306, dated the 6th July 1948.

Sd/-
9/7
Additional Secretary to Government.

U.O. to H.& L.S.D.,No . 6479 , dated the 10th July 1948.

BKS. 31/5/ 4c.

Legal Department.

A revised draft notification settled after ~~xinxx~~ discussion with the Parliamentary Secretary, Mr. Kunte, is sent herewith.

The Department may notify the designation of the officer authorised for the purposes of condition (2) of Exemption 3 in the Schedule to the Rules.

Sd/-
15/7
Additional Secretary to Government.

U.R. to H.& L.G.D., No. 6650 , dated the 15th July 1948.

BKS. 31/5/ 4c.

NOTIFICATION.

Health and Local Government Department,
Bombay Castle, 1948.

Bombay Land Requisition Act, 1948.

No. .-In exercise of the powers conferred by clause (iv) of sub-section (2) of section 19 of the Bombay Land Requisition Act,1948 (Bom. XXXIII of 1948), the Government of Bombay is pleased to make the following rules, namely :-

1. These rules may be called the Bombay Land Requisition (Exemption ) Rules, 1948.

2. In these rules, the Act means the Bombay Land Requisition Act, 1948.

3. The Lands used for the purposes of public religious worship shall be exempt from the provisions of sections 5 and 6 of the Act.

4. The buildings specified in the first column of the Schedule hereto appended are exempted from the provisions of the section or sections of the Act specified against them in the second column on the terms and conditions specified against them in the third column of the said Schedule.

5. If any of the terms and conditions specified in rule 4 are not complied with, the Provincial Government may withdraw the exemption granted under rule 4. The decision of Government shall be final.

The Schedule.

| Description of buildings exempted. | Section or sections of the Act from which exempted. | Terms and conditions of exemption. |
|---|---|---|
| 1. | 2. | 3. |
| 1. Buildings owned by a Co-operative Housing Society or the members thereof under the by-laws of the society. | 5 and 6 | (1) The premises may be occupied by the members ~~xxxxx~~ owning the same or may be let to members of the society inaccordance with the by-laws of the society. |

(2) No premises shall be kept vacant for more than one month. If any premises remain vacant for a longer period, the vacancy shall be reported within seven days of the expiry of the month to the officer authorised under section 6 of the Act.

(3) Where premises are let under clause(1) to other members of the society after the date of the coming into operation of these rules, an intimation shall be given to the officer authorised under section 6 of the Act within seven days from the date of letting the premises, giving particulars regarding the premises including the name and date of leaving of the outgoing tenant and the name and date of occupation of the incoming tenant.

1

**Buildings owned by or vesting in Charitable Societies, Trusts or such other Agencies for providing cheap housing.** — 5 and 6

(1) The landlord of the buiding shall apply to Government for exemption giving inter alia the following particulars :-

(i) Name and address of the landlord.

(ii) The full description of the premises including accommodation and rent.

(2) The actual rent charged shall be substantially less than the economic rent of the premises.

(3) The landlord shall draw up allotment rules and submit them to Government for approval. All allotments of accommodation shall be made according to the rules approved by Government.

(4) No premises shall be kept vacant for more than one month. If any premises remain vacant for a longer period, the vacancy shall be reported within seven days of the expiry of the month to the officer authorised under section 6 of the Act.

(5) The exemption may be refused in any case by Government without assigning any reason. The decision of Government shall be final.

**3. Buildings newly erected pr reconstructed by the landlord for his own use as residence.**

(1) If the landlord occupies the premises so erected or reconstructed, he shall vacate the other residential accommodation held by him, if any.

(2) Where the landlord vacates accommodation under clause (1), he shall send an intimation to the officer authorised by Government inthis behalf within seven days of his doing so, giving the particulars of the accommodation held by him including the area and the rent, if any, of the xxxx accommodation.

| | | |
|---|---|---|
| Buildings newly erected or reconstructed by employers for the bona fide use of their employees. | 6 | (1) The employer shall draw up allotment rules and submit them to Government for approval. All allotments of accommodation shall be made according to the rules approved by Government.<br><br>(2) If any premises remain vacant for more than one month, the vacancy shall be reported within seven days of the expiry of the month to the officer authorised under section 6 of the Act. |
| 5. Buildings newly erected or re-constructed where allotment of accommodation proposed by the landlord is in the opinion of Government reasonable and bona fide. | | (1) The landlord shall apply to Government for exemption.<br><br>(2) The exemption may be granted in respect of premises proposed to be allotted to the parents, sons, daughters or other near relatives of the landlord, provided the accommodation proposed is in the opinion of Government reasonable.<br><br>(3) The exemption may also be granted in respect of premises proposed to be allotted to other persons acquainted with the landlord if Government is satisfied that the proposal is bona fide and that the accommodation proposed is reasonable.<br><br>(4) The exemption may be refused in any case by Government without assigning any reason. The decision of Government shall be final. |

By order of the Governor of Bombay,

BKS. 31/5/ 40.

Legal Department.

The Health and Local Government Department proposes to extend to the West Khandesh District the Bombay Land Requisition Act, 1948, under section 2(2) thereof. There are partially excluded areas in the West Khandesh District. Unless a notification under section 92(1) of the Government of India Act, 1935, applying the Bombay Land Requisition Act to the partially excluded areas in the West Khandesh District is issued first, which, it is understood, is under consideration of Government it is not competent for Government to issue a notification under section 2(2) thereof in respect of such partially excluded areas.

2. The draft notifications at pages 5-7 ante, are in order. Unless a notification under section 92 of the Government of India Act, 1935, is issued first, they will not apply to that part of the district which is partially excluded area.

Sd/-
31/7
Additional Secretary to Government.

U.R. to H. & L.G.D. No. 7248 , dated the 2nd August 1948.

BKS. 31/5/ 4c.

NOTIFICATION

Health and Local Govt. Department.

6 A, Cooperage, Bombay July 1948.

Bombay Land Requisition Act, 1948.

No.O.950/5029/M. In exercise of the powers conferred by sub-section (2) of section 2 of the Bombay Land Requisition Act, 1948 (Bom.XXXIII of 1948), the Government of Bombay is pleased to extend all of the provisions of the said Act to the West Khandesh district with effect from the date of this notification.

By order of the Governor of Bombay,

Deputy Secretary to Government.

BKS. 51/5/ 40.

Order.

Health and Local Government Department.

6 A Cooperage, Bombay, July 1948.

Bombay Land Requisition Act, 1948.

No.OSSC-E. In exercise of the powers conferred by section 15 of the Bombay Land Requisition Act,1948 (Bom.XXXIII of 1948), the Government of Bombay is pleased to direct that in the East Khandesh District, the powers conferred and the duties imposed on the Provincial Government by sections 5,6 and 7, sub-sections (1),(3),(5), and (7) of section 9, and sections 11,12 and 14 of the said Act, shall also be exercised or discharged by the Collector within the limits of his jurisdiction.

By order of the Governor of Bombay,

Deputy Secretary to Government.

EKS. 31/5/ 4c.

No. 4105
Legal Department,
Bombay Castle, 28th April 1948.

Subject :- Requisitioning of private buildings for Government offices.

MEMORANDUM.

The undersigned presents compliments to the Secretary to the Government of Bombay, Labour Department and with reference to the Labour Department Circular No.780/46, dated the 2nd April 1948, on the above subject, is directed to state that this Department is not in favour of the suggestions made by the Bombay Provincial Housing Advisory Committee, namely, that Government should not requisition private buildings for its offices but should construct accommodation for the purpose and that there should be de-requisitioning of what is at present requisitioned. Already the number of Government Offices, both in Bombay and in the mofussil, has increased considerably and on account of the expanding activities of the Government the number and the size of the offices will increase further. The activities of Government should not be hampered for want of suitable office accommodation and cannot be postponed until new accommodation is constructed. Moreover, for Departmental convenience or for the convenience of the public , Government offices are required to be situated in a particular locality where it may not be possible to construct new accommodation. In some cases the cost of new construction at the present rates would be out of proportion to the temporary needs of some of the Departments. The idea may be opposed and Government may not accept the principle that there should be no requisitioning for Government offices.

By order of the Governor of Bombay

Sd/- P.M.L.
Secretary to Government.

To

Legal Department.

A revised draft notice is sent herewith.

2. Sub-section (2) of section 11 of the Bombay Land Requisition Act, 1948, requires that 15 clear days' notice shall be given to the person from whom possession of the land has been taken before any property remaining thereon is removed by Government. If a certain number of clear days be given for the doing of any act, the time is to be reckoned exclusively, as well as of the first day as the last.

Sd/-
24/7
Additional Secretary to Government.

U.R. to H.& L.G.D.No. 6942 , dated the 24th July 1948.

SRS. 31/5/ 48.

Health and Local Government Department

Bombay Castle, July 1948.

NOTICE.

Whereas possession of the

has been taken on the **

from @ under

sub-section (1) of section 11 of the Bombay Land Requisition Act, 1948 (Bom.XXXIII of 1948), (hereinafter referred to as the said Act), but the whole of the property thereon has not been removed by the said person ;

Now, therefore, in exercise of the powers conferred by sub-section (2) of section 11 of the said Act, the Government of Bombay hereby gives notice to the said @ that any property remaining onthe * shall be removed or disposed of by public auction on or after the £ 194 .,

By order of the Governor of Bombay

Assistant Secretary to Government.

*Here describe premises or land.

** Here enter the date.

@Here enter name of person from whom possession was taken.

clear 15 days should be counted after excluding the date of notice and the last day of notice period.

BKS. 31/5/ 4c.

Legal Department.

A revised draft notification is sent herewith.

Sd/-
20/8
Additional Secretary to Government.

U.R. to H. & L.G.D., No. 7971 dated the 21st August 1948.

BKS. 31/5/ 4c.

**Notification.**

Health and Local Government Department,

Bombay Castle, August 1948.

Bombay Land Requisition Act, 1948.

No. P-48 189-N, - In exercise of the powers conferred by sub-section (7) of section 9 and sections 11, 12 and 14 of the Bombay Land Requisition Act, 1948 (Bom. XXXIII of 1948), the Government of Bombay is pleased to authorise or empower, as the case may be, the officers mentioned in the Schedule annexed hereto to exercise powers and to perform functions under the said sections within the limits of the City of Bombay and the Municipalities of Bandra, Juhu, Parle-Andheri, Kurla, Ghatkopar, Kirol and the village Panchayat, Chembur.

Schedule.

1. Controller of Accommodation.
2. Deputy Controller of Accommodation.
3. Accommodation Officers.
4. Inspectors of Requisitioning

By order of the Governor of Bombay,

Deputy Secretary to Government.

BKS. 31/5/ 4c.

Legal Department.

Section 2 of the Bombay Land Requisition Act, 1948 (Bom. XXXIII of 1948) extends the Act to the areas specified in the Schedule thereto. It is, therefore, necessary first to issue a notification under sub-section (2) of section 2 of the Act extending the Act to the remaining districts before a notification under section 15 can be issued delegating to the Collectors the powers of requisitioning godowns under sections 5 and 6(4).

2. H. & L.G.D. should verify whether the districts specified in the Schedule of Notification No.1 are the districts to which the Act has not still been extended.

3. As desired by the H. & L.G.D. powers under sections 5 and 6(4) have been restricted to the requisitioning of godowns only. Sub-section (4) of section 6 of the Act comes into operation only upon the issue of a notification under sub-section (1) of the said section. It is therefore necessary also to issue a notification under that section. The area to be covered by the notification should be specified by the Collectors to whom the power has been delegated by the draft Notification No.I.

Sd/-
5/11
Additional Secretary to Government.

U.R. to H. & L.G.D., No. 10405,
dated the 5th November
19

BKS. 31/5/ 4c.

I
Order

Health and Local Government Department,
Bombay Castle, November 1948.

Bombay Land Requisition Act, 1948

No. .In exercise of the powers conferred by sub-section (2) of section 2 of the Bombay Land Requisition Act, 1948 (Bom. XXXIII of 1948), the Government of Bombay is pleased to extend all the provisions of the said Act to the areas specified in the Schedule hereto annexed with effect from the date of this notification.

SCHEDULE

Kolaba District.

Satara District.

Ratnagiri District.

Kanara District.

Broach District.

Kaira District.

By order of the Governor of Bombay,

Deputy Secretary to Government.

BKJ. 31/5/ 4c.

II
Order.

Health & Local Government Department,
Bombay Castle, November 1948.

Bombay Land Requisition Act, 1948.

No. .In exercise of the powers conferred by section 15 of the Bombay Land Requisition Act, 1948 (Bom XXXIII of 1948); the Government of Bombay is pleased to direct that in Kolaba, Satara, Ratnagiri, Kanara, Broach and Kaira Districts, the powers conferred and duties imposed on the provincial Government by section 5 and sub-sections (1) and (4) of section 6 of the said Act, shall also be exercised or discharged by the Collector within the limits of his jurisdiction subject to the condition that the said powers and duties shall be exercised only in respect of requisitioning of godowns or places of storage.

By order of the Governor of Bombay,

Deputy Secretary to Government.

BKS. 31/5/ 4c.

Legal Department.

The notification at page 13 ante is not in order. Section 15 of the Bombay Land Requisition Act, 1948, applies where the intention is to delegate to an officer not below the rank of a Collector any power conferred or any duty imposed on the Provincial Government by the said Act. What is proposed by the H. & L.D.) is to delegate the powers conferred and duties imposed on the Provincial Government by the Bombay Land Requisition (Exemption) Rules, 1948, made under section 16 of the Act. However the proposed notification would in effect empower the Collectors to make rules withi their jurisdiction which is obviously not intended. To achieve the object in view it is necessary to add a rule to the Bombay Land Requisition (Exemption) Rules, 1948, as in the proposed draft and then to issue another notification in virtue of that rule delegating to the Collectors the powers and duties of the Provincial Government under the rules. A draft of such second notification is also sent herewith.

Sd/-
25/9
Additional Secretary to Government.

U.R. to H.& L.G.D.,No. 9135 , dated the 25th Sept., 1948.

BKS. 31/5/ 4c.

Health and Local Government Department,

September 1948.

Bombay Land Requisition Act, 1948.

No. .-In exercise of the powers conferred by clause (iv) of sub-section (2) of section 19 of the Bombay Land Requisition Act , 1948 (Bom.XXXIII of 1948), the Government of Bombay is pleased to amend the Bombay Land Requisition (Exemption) Rules, 1948, as follows, namely :-

After rule 5 of the said Rules, the following new rule shall be added, namely:-

"6. The Provincial Government may by order direct that any power or duty which by these rules or the schedule thereto is conferred or imposed upon the Provincial Government shall be exercised or discharged by such officer as may be specified in such order.

By order of the Governor of Bombay,

Deputy Secretary to Government.

BKS. 31/5/ 40.

ORDER

Health & Local Government Department.

September 1948.

No, .-In exercise of the powers conferred by rule 6 of the Bombay Land Requisition (Exemption) Rules, 1948, the Government of Bombay is pleased to direct that in the districts of Thana, Ahmedabad, Surat, Nasik, Poona, Sholapur, Ahmednagar, Belgaum, Dharwar, Bijapur and East Khandesh, the powers or duties which by the said rules and the schedule thereto are conferred or imposed upon the Provincial Government, shall also be exercised or discharged by the Collectors of the said districts within the limits of their respective jurisdictions.

By order of the Governor of Bombay,

Deputy Secretary to Government.

BKS. 31/5/ 4c.

GOVERNMENT OF BOMBAY.
Health and Local Government Department,
Order No.

Bombay Castle, December 1948.

O R D E R.

WHEREAS no intimation has been given by the landlord under sub-section (1) of section 6 of the Bombay Land Requisition Act, 1948 (Bom.XXXIII of 1948), in respect of the premises specified below;

AND WHEREAS it is found that the said premises were vacant after ---------*----------

*the proper date should be filled in by H.& L.G.".

NOW, therefore, in exercise of the power conferred clause (a) of sub.-section (4) of section 6 of the said Act, and in supersession of order No. R.E.Q.O.R.D.136, dated the 18th May 1948, issued by the Collector of the Bombay Suburban District, the Government of Bombay is pleased to requisition the said premises :-

Premises.

The entire premises belonging to Mr. Chaturbhuj Vallabhdas Khatau, Cama Galli, near pipe line, Ghatkopar

By order of the Governor of Bombay,

Assistant Secretary to the Governor of Bombay, Health & Local Government Department.

BKS. 31/5/ 40.

GOVERNMENT OF BOMBAY,

Health and Local Government Department,

Order No.

Bombay Castle, December 1948.

ORDER OF GOVERNMENT.

In exercise of the powers conferred by sub-section (1) of section 11 of the Bombay Land Requisition Act, 1948 (Bom.XXXIII of 1948), the Government of Bombay is pleased to authorise Mr. M.R.H.Shaikh an Inspector in the Health and Local Government Department (Accommodation) to take possession of the premises belonging to Chaturbhu Vallabhadas Khatau, situated at Cama Galli, near pipe line Ghatkopar, which have been requisitioned under Government Order No. R.L.(.O.R.D. 136, dated the ---------- --- The said Inspector Mr. M.R.H. Shaikh is further authorised to take or cause to be taken such steps and use or cause to be used such force as may be in his opinion reasonably necessary for taking possession of the said premises.

By order of the Governor of Bombay.

Assistant Secretary to the Government of Bombay,
Health and Local Government Department.

BKS. 1/6/ 4c.

Legal Department.

Two revised draft Orders are sent herewith.

2. The correct name of the landlord should be inserted after verifying it.

3. The date of the notification issued by the Government under sub-section (1) of section 6 of the Act should be mentioned in para. 2 of the Order as the date after which the premises were vacant.

4. The Order should be served in the manner provided in clause (c) of sub-section (1) of section 13 of the Act.

Sd/-
21/12
Additional Secretary to Government.

U.R. to H. and L.C.D., No. 12175 , dated the 22nd December 1948

BKS. 1/6/ 4c.